

**EXHIBIT 2**

**TRANSCRIPT OF FEB. 13, 2023 TEXAS A&M FACULTY SENATE MEETING**

Source: <https://mediasite.tamu.edu/Mediasite/Play/5ca182bfdcf648c4af46eb37a2afc8be1d>

[Starting at 23:04]

Alan Sims: Yeah, that was kind of my point, too. That this isn't the time for discussion, right? So the motion is on the floor and then we're going to discuss it next time—

Dale Rice: It's actually not on the floor, just to be clear. So I'm happy to end the discussion right now with it. And—

Alan Sims: So what happens now?

Dale Rice: Now, I think there will be a discussion about the appropriate way to bring this back or to continue the discussion at a later meeting. So at this point, that wraps up the business portion of the meeting and I would invite Speaker Elect Hammond to take us into the Committee of the Whole.

Tracy Hammond: Thank you Speaker Rice. I want to begin by asking if there are any positive actions or items of concern that are occurring on campus related to diversity, equity and inclusion, and accessibility. Jorge?

Jorge Alvarado: Yes. I think most of you know that the governor has said something about some of these issues about diversity and things like that. I think he has instructed the state agencies not to consider diversity in hiring. I haven't heard anything from the university. I don't know what is the position of the university. I don't know if the university is going to advocate a specific position. I just want to know what the university position is with respect to that directive that I think is going to be effective soon; I don't know when. And someone comment on that? Has been on the media, has been on the press for the last week or so. And I can post the link through—I mean the information through the chat.

Asha Rao: I only saw one statement that A&M released in that same article that I read where the governor issued this statement. All it said—I think A&M said "we will be happy to follow all of the federal and state regulations" in response to that particular statement from the governor. That's all I saw, and I think I have that link if you guys want to look at it.

Tracy Hammond: Any other questions?

Jorge Alvarado: Yes, it's the same one.

Andrew Klein: I don't see any other hands raised or anything in the chat that's not public.

Tracy Hammond: Alan, did you want to comment? I see that you're on here.

Alan Sims:

Yeah, I think the direction of most of what I've read in the media has to do with requiring diversity statements, and how those are actually used by committees and I think that N.K. is directed some of the searches that are underway that are already out there, that we would not pull that requirement back in terms of changing the way we're doing the search. And new searches that get launched, that kind of a requirement obviously would go against the state. The governor's directive, I should say. And that leaves us the challenge of how do we assess applicants and the approach to, philosophy about, practice of, the collegiality and welcoming inclusiveness that is part of what diversity is about. And we certainly don't take somebody's race or gender into consideration when we make those hiring decisions. It's all a part of are they—like I said before, it's part of how we assess their collegiality and you know, being a member of the faculty community and those kinds of things. And so that challenge is how do we assess those in the absence of that kind of diversity statement where somebody is able to make those pronouncements quite clear and if they offer those kinds of information separate from a diversity statement, how the committee considers those or doesn't consider those in light of the state laws and federal laws that govern that kind of thing. So it is a challenge and I think N.K. is trying to advise searches that are ongoing about how to do that in the advance and in the absence of a diversity statement like that that we have very commonly used. So I know the university is in a challenging situation right now, in terms of being able to address some of these and while the session is still going on; while we're so reliant on lots of other ways that we interact with the state government that we're part of. So it's a challenge, for sure. But it doesn't really diminish the commitment and the support and the efforts that are underway in lots of ways across the university. It's not just the Office of Diversity or diversity statements. There's a lot that we do that as a community, as an A&M community, to make it a more welcoming and inclusive place to live and work and learn and all those kinds of things. So we just have to find the ways to do that that are compliant with the laws, but still make it that welcoming place that we want it to be.

Tracy Hammond:

Thank you, Allen, and yeah, I agree wholeheartedly with the 'inclusivity is our goal', which means every single person. Including white men, of course. So we have to be inclusive for everybody. And definitely, we always hire based on merit. How else could you do it any other way? Uh, Annie?

Annie McGowan:

Well, I think the point of the Diversity Statement has been misconstrued, generally. That in the Diversity Statement, we are not looking, or nor do we use information where the person describes their own ethnicity or identity. We're looking for actual evidence. It's an evidence-based approach to the work that the person has done. Therefore, it is not necessary that we have a Diversity Statement, per se, to do the work, than if we ask

for the candidate to reflect on that work in their teaching and research statement.

Alan Sims: I think the Chancellor last month—I guess it was James Hallmark that provided some context after the Chancellor's comments about this was much of the university's and the system's work in this space—to the question someone asked a moment ago about whether the university having a statement on it—much of the work has been around trying to help people understand what diversity is—what the diversity effort is in terms of diversity statements that Annie was just talking about. How many people understand what's actually in that? It's not talking about their own diversity, but it's talking about aspects of how that engages in their qualifications for a position or how their experience that they might bring to a position. So it's a bit of our—I think what our approach has been, as a system and as an institution is, help people understand what that whole area of work is. Like you said, the diversity statements have been largely misconstrued. But there may be examples of instances where they have either been used as a reason to exclude somebody or have disclosed aspects of a person's identity that maybe they weren't intended to. But that's not what their purposes is, like Annie was just saying.

Tracy Hammond: Adam.

Adam Kolasinski: Yes, so I don't know if either Annie or Allen have read the critiques of diversity statements by organizations such as the Alliance for Academic Freedom and the Foundation for Individual Rights in Education, which has recently been renamed. The E no longer stands for education, it now stands for Expression. Many have argued that diversity statements are the equivalent to political litmus tests and actually I know that our current Stride training encouraged departments to use the Berkley rubric to evaluate diversity statements. And it's particularly the Berkley rubric that has been criticized as a political litmus test. So are now saying that we're no longer going to do that? Is that no longer going to be the official position of the university, that we no longer use—have these diversity statements evaluated according to the Berkley rubric? And Annie, I got a question for you. You say we're going to evaluate candidate's work outside of the diversity statements. Is that going to be according to the Berkley rubric or something else? I'm curious.

Alan Sims: You make good points, Adam, and I would like what I just said a moment ago that there are probably some instances and examples of where some of these kind of statements were perhaps inappropriately used to exclude some people, or were misconstrued or whatever. But I wasn't really trying to make any kind of official position statement with what I just said. I was just kind of describing, as was Annie I think, what the purpose of those are. Not necessarily how they're always used for everything. So I wasn't

making a position statement about the university. But you make a very good point in terms of, that they have sometimes been used litmus tests.

Adam Kolasinski: Well, FIRE claims that's how they're usually used. Same with the Alliance for Academic Freedom. Just so you know.

Alan Sims: Good point.

Tracy Hammond: N.K.?

N.K. Anand: Yeah, both Speaker Rice and I both underwent training for faculty hiring last week and I do not recall the phrase "Berkley rubric" any time during that 120 minutes of training. So there is not that. And going forward, diversity statement would be optional. Diversity includes differently abled people, veterans, and people who need special access. And there will be no more comments, thank you.

Tracy Hammond: Angie?

Angie Hill Price: I was just looking for just like Senator Carly-Miles said, the resources for that Adam. That would be very helpful. Thank you.

Tracy Hammond: I agree. Catharina?

Catharina Laporte: I happen to be on the STRIDE workshop committee and there's nothing in the handbook that I remember or recall teaching to anyone about a Berkley rubric.

Adam Kolasinski: It's in the appendix on diversity statements. I'll post a link shortly.

Tracy Hammond: And Andrew, are there any questions in the chat?

Andrew Klein: Yes. There was a question in the chat that says "are we going to discuss House Bill 1006, which would effectively outlaw the use of state funds for most any DEI initiatives ranging from education programs to hiring to '...'"

Tracy Hammond: Does anyone want to respond to that before we call on Jorge?

N.K. Anand: We have not received any further instructions from either the President's office or from the OGC, so until then we are standby mode.

Tracy Hammond: Thank you, N.K. Okay. Jorge?

Jorge Alvarado: Yes, what is the status of the ACES Plus program? Is it still active, it's on hold? What's going on? I'm just asking.

N.K. Anand: Annie can give further information. We revised it and the revised announcement was distributed, so as of now, it is still active. We revised the ACES Plus program.

- Annie McGowan: Yes. Applications are open for ACES Plus program at this time.
- Tracy Hammond: Any other questions related to DEI or A? Or comments? And nothing more from you, Andrew?
- Andrew Klein: No.
- Tracy Hammond: So, moving onto general items. Is there any business for the committee of the whole? Blanca?
- Blanca Lupiani: Actually, I was trying to find my hand, to raise my hand. N.K. just indicated that we distributed the new documents for the ACES Plus program. A few more needs distributed, too. Because I have not seen it.
- N.K. Anand: We distributed it to all the deans. And the deans were supposed to distribute to—I will remind them tomorrow. On Wednesday.
- Blanca Lupiani: Thank you.
- Tracy Hammond: So again now, finally moving on to general items. Is there any business for the committee of the whole? Jorge?
- Jorge Alvarado: Yes, I heard Dale saying earlier that his suggestion about the dean search in the college of engineering is to increase the membership, to have more members. The committee right now had 29 members, so adding more members to me doesn't make too much sense. But the most fundamental question that I have is, why do we have more non-faculty members than faculty members in that committee to begin with? What happened? That's kind of rare, right? Do we have an answer for that question?

**[Ending at 39:09]**